

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

RECEIVED  
U.S. DISTRICT COURT  
FLORENCE, SC  
2016 MAY 17 A 8:24

Ivander James, Jr.,	)	Criminal No. 4:01-965-CWH-1
	)	Civil No. 4:16-01397-CWH
Petitioner,	)	
	)	
vs.	)	
	)	<b>ORDER</b>
United States of America,	)	
	)	
Respondent.	)	
_____	)	

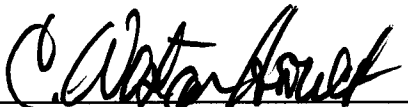
This matter is before the Court on the counseled petition by Ivander James, Jr. (the “petitioner”) in support of his motion to vacate and correct his sentence pursuant to 28 U.S.C. § 2255 (ECF Nos. 54 & 50). The government has responded and concedes that the petitioner’s petition should be granted and agrees that the petitioner should be resentenced as soon as possible. (ECF No. 55).

Therefore, it is ordered that the motion to vacate (ECF No. 50) is granted and all remaining provisions of the petitioner’s criminal judgment shall remain unchanged pending further orders of this Court. The petitioner shall remain in the custody of the Federal Bureau of Prisons pending his resentencing hearing. The United States Probation Office shall prepare a Supplemental Presentence Report in advance of the petitioner’s resentencing hearing and file the same in the criminal case. The Clerk of Court shall coordinate the date of the resentencing with Chambers. The Clerk’s Office shall notify the petitioner, the United States Attorney, Defense counsel, the United States Marshals Service, and the United States Probation Office of the date of the resentencing hearing. The Clerk of Court is respectfully directed to certify copies of this

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CWH

Order to the petitioner, Defense counsel, the United States Attorney, the United States Marshals Service, and the United States Probation Office.

**AND IT IS SO ORDERED.**

  
\_\_\_\_\_  
**C. WESTON HOUCK**  
**UNITED STATES DISTRICT JUDGE**

May 16, 2016  
Charleston, South Carolina

#2  
CWH.